FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

**CRIMINAL APPLICATION NO.1602 OF 2006**

Riyaz Haji Maqbul Sayyed Naikwadi ..Applicant
V/s.
The State of Maharashtra ..Respondent

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| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr.U.R.Agandsurve for the applicant.

Mr.Y.S.Shinde APP for the State.

**Coram : R.S.Mohite,J**

Date : 13.6.2006.

PC

1. This is an application for grant of bail. The applicant is one amongst 15 persons who are shown as accused in C.R.No.209/2002 registered by the Vijapur Naka police station, Solapur for offences punishable under Sections 302, 307, 295, 295(A), 436, 146, 147, 148, 149, 427, 109 & 117 of IPC. On perusing the FIR it is evident that there are 2 incidents. The first incident took place on 11.10.2002 at 9.00 A.M. where the present applicant was seen

alongwith one M.D.Shaikh by witness Shriniwas Gadgi. However, reading of the statement indicates that Mr.M.D.Shaikh supposed to have instigated Muslim persons but no role has been attributed to the present applicant. The 2nd incident took place at about 5.30 P.M. during which time the present applicant was admittedly not present. The 2nd incident is one where the members from the muslim community assaulted the deceased Chandrakant and also caused injuries to other persons. In my view, though there is a material to show the presence of the present applicant with Mr.M.D.Shaikh, it appears that there is no overact against the present applicant. It is true that present applicant was shown as absconding. He was however, being arrested on 3.1.2006. Supplimentary charge-sheet is also filed against the present applicant. In the

circumstances, it is directed that pending his trial in connection with C.R.No.209/2002 registered by Vijapur naka police station, Solapur, the applicant may be released on bail in the sum of Rs.20,000/- with one surety in the like amount subject to the condition that he will report to the concerned investigating officer of Vijapur naka police station once a week on every Monday between 5.00 P.M. and 7.00 P.M. till the disposal of the trial. Application stands disposed of.

**(R.S.Mohite,J)**